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United States Government

## MEMORANDUM

DATE: October 6, 2020

TO: AOC Employees

FROM: William O'Donnell *WRO*  
Chief Administrative Officer

SUBJECT: Update on the Administration of Leave During COVID-19

This memorandum provides guidance for Architect of the Capitol (AOC) employees regarding the administration of leave, particularly in relation to the use of administrative leave during the COVID-19 pandemic.

While the COVID-19 pandemic continues to restrict the agency from returning to full operations with the campus open to staff and the public, it is imperative all employees understand how leave is granted and the expectations of staff while in an administrative leave status.

### **Administrative Leave Clarification**

Per AOC Order 630-1, administrative leave is an excused (administratively authorized) absence from duty without loss of pay and without charge to leave. Effective immediately, employees on administrative leave must be available and able to work on short notice. An employee is "available" when, during his or her normal tour of duty, he or she is communicating regularly with and responding promptly to AOC colleagues and supervisors, participating in telework activities as directed by management, and able to return to work in two to three hours, regardless of jurisdictional operating status.

Employees on administrative leave who are unavailable and unable to report to their jobsite within two to three hours or unable to participate in telework activities as directed by management, are required to submit the appropriate leave request (e.g., annual or sick leave) to their supervisor for approval. For example, if an employee needs to leave the Washington, D.C. metropolitan area, undergo a medical procedure or attend a medical appointment, then they are required to submit the appropriate leave request (e.g., annual or sick leave) to their supervisor for approval as they will not be able to return to work in two to three hours or will not be able to participate in telework activities as directed by management.

### **COVID-19 High-Risk Identification Update**

During the pandemic, the AOC is committed to working with employees who are at high risk of serious illness from COVID-19 so that they can continue to perform their duties safely. In addition to implementing safety protocols that benefit all employees, the AOC will continue to support high-

risk employees by making reasonable accommodations under the Americans with Disabilities Act (ADA) and applying flexibilities under the Family and Medical Leave Act (FMLA).

The Centers for Disease Control and Prevention (CDC) recently updated its guidelines about the medical conditions that put people at increased risk for severe illness from COVID-19. The AOC is therefore updating its criteria for identifying high-risk status.

Because CDC guidelines reflect the evolving, more nuanced medical understanding of COVID-19 risk factors, effective October 30, 2020, employees with high-risk conditions will be required to submit documentation to seek an accommodation and remain qualified in the high-risk category. Qualified employees will be allowed to telework or, if they are not telework eligible, be considered for a reasonable accommodation, which may include administrative leave.

To be certified as high risk based on age or a CDC-designated medical condition, employees must complete the applicable sections of the new AOC COVID-19 High-Risk Identification Form and submit it to Corniece Keene-Brown, reasonable accommodation program manager in the Diversity, Inclusion and Dispute Resolution Office (DI/DR), at [cbrown@aoc.gov](mailto:cbrown@aoc.gov) by October 30, 2020.

Employees who do not complete and submit the form by the deadline will not be considered for telework or accommodations. Until the certification process is completed (through October 30, 2020), qualified employees may remain on telework or administrative leave.

#### **Leave for Childcare Purposes Update**

Throughout this pandemic, the AOC has permitted supervisors to approve supplemental administrative leave in conjunction with flexible scheduling and telework for employees caring for their children whose school or place of care is closed due to COVID-19 related reasons. As of October 30, 2020, these employees may no longer be eligible for supplemental administrative leave.

Affected employees may apply for the Families First Coronavirus Response Act (FFCRA) paid leave entitlements to care for their children whose school or place of care is closed due to COVID-19 related reasons or request their own accrued leave. Administrative leave, up to 20 hours per pay period, may be approved for those employees who are approved for FFCRA leave for childcare purposes. At this time, maximum telework and flexible scheduling for all employees may continue to be approved as mission needs allow.

#### **Quarantine Requirements After Travel to COVID-19 “High-Risk States”**

COVID-19 cases are occurring in all 50 states, and the situation is constantly evolving. Travel increases an individual’s chances of getting infected and spreading COVID-19. The agency remains fully dedicated to the safety, health and well-being of our employees.

The AOC is providing updated advice for employees subject to quarantine requirements or who are reporting to work after personal or job-related travel to high-risk states, as defined by DC Health and the DC Mayor’s Order 2020-081. AOC employees are exempt from the quarantine requirements while performing essential government functions, but they should continue to follow CDC



guidelines to ensure their safety along with the safety of friends, family and co-workers. It is up to all of us to remain vigilant and follow the protocols and steps in place to stay healthy.

If an employee traveled to or visited a high-risk U.S. state, effective immediately:

- If an employee is telework capable, they are expected to telework for a period of 14 calendar days and remain off campus, as well as monitor their health.
- If their position is not telework capable, every effort should be made by management to adjust their schedule to keep them off-site for a period of 14 calendar days while the employee monitors his/her health. However, if a schedule adjustment is not possible, the employee will be required to return to work when scheduled to do so, conduct the daily self-health check, and follow the three Ws: Watch their physical distance (stay at least 6 feet from other people); Wash their hands often for at least 20 seconds each time; Wear a face covering in a public settings when social distancing is not possible.
- If an employee becomes sick or begins exhibiting COVID-like symptoms during his/her tour of duty, the employee should alert their supervisor, go home and contact their private physician for their own well-being and to protect their co-workers.

### **Resources**

Questions regarding this updated leave guidance should be directed to the Human Capital Management Division, Employee and Labor Relations Branch, at 202.226.0750 or [elrb@aoc.gov](mailto:elrb@aoc.gov).

Questions regarding the updated process for high-risk identification should be directed to DI/DR at 202.631.3085 or Ms. Keene-Brown at [cbrown@aoc.gov](mailto:cbrown@aoc.gov).